

PATUNAS LAW LLC

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Attorney for Defendants

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

FRANCIS FENWICK, et al.,

Plaintiff,

- against -

RANBAXY PHARMACEUTICALS INC. ,
et al.,

Defendants.

Case No. 3:12-cv-07354-PGS-DEA

**DECLARATION OF
MICHAEL E. PATUNAS**

Michael E. Patunas, pursuant to 28 U.S.C. § 1746, declares under penalty of perjury that the following is true and correct:

1. I am a member of the law firm of Patunas Law LLC, counsel for defendants Ranbaxy Pharmaceuticals Inc., Ranbaxy Laboratories, Ltd., Ranbaxy Laboratories, Inc. Ranbaxy, Inc., Ranbaxy USA and Ohm Laboratories (the “Defendants”) in the above-captioned matter. I am fully familiar with the facts and circumstances of this action.

2. I submit this declaration, along with the exhibits attached hereto, in support of the Defendants' May 4, 2018 Memorandum of Law in Opposition to Plaintiffs' Motion for Class Certification.

3. Attached hereto as Exhibit 1 is a true and correct copy of the December 11, 2017 expert report of Dr. Bruce Strombom submitted on behalf of Defendants.

4. Attached hereto as Exhibit 2 is a true and correct copy of Attachment III to Ranbaxy's Submission to the United States Food and Drug Administration ("FDA") on November 28, 2012, produced in discovery by Defendants as RANBAXY_FEN0000131.

5. Attached hereto as Exhibit 3 is a true and correct copy of Attachment A to Ranbaxy's Submission to the FDA on November 28, 2012, produced in discovery by Defendants as RANBAXY_FEN0000103.

6. Attached hereto as Exhibit 4 is a true and correct copy of a November 28, 2012 Ranbaxy press release, produced in discovery by Plaintiffs as PLTF00024.

7. Attached hereto as Exhibit 5 is a true and correct copy of Attachment 1 to Ranbaxy's Submission to the FDA on December 7, 2012, produced in discovery by Defendants as RANBAXY_FEN0000142.

8. Attached hereto as Exhibit 6 is a true and correct excerpted transcript of the June 2, 2017 deposition of Ranbaxy employee Syed Qadry.

9. Attached hereto as Exhibit 7 is a true and correct copy of an internal Ranbaxy document, produced in discovery by Defendants as RANBAXY_FEN0007129.

10. Attached hereto as Exhibit 8 is a true and correct copy of the webpage Ranbaxy USA, Atorvastatin Recall, Helpful Information, <http://www.ranbaxyusa.com/AnnounceDetail.aspx?id=16>.

11. Attached hereto as Exhibit 9 is a true and correct copy of the webpage Food and Drug Administration, FDA Statement on the Ranbaxy Atorvastatin Recall, <http://www.fda.gov/Drugs/DrugSafety/ucm329951.htm> (Nov. 29-30, 2012).

12. Attached hereto as Exhibit 10 is a true and correct copy of a December 2, 2012 letter from Craig Swanson of the FDA to Venkat Krishna of Ranbaxy, Inc., produced in discovery by Defendants as RANBAXY_FEN0001419.

13. Attached hereto as Exhibit 11 is a true and correct copy of the Final Recall Status Report submitted by Ranbaxy to the FDA on March 14, 2014, produced in discovery by Defendants as RANBAXY_FEN0000833.

14. Attached hereto as Exhibit 12 is a true and correct excerpted transcript of the January 8, 2018 deposition of Plaintiffs' expert, Dr. Gary French.

15. Attached hereto as Exhibit 13 is a true and correct excerpted transcript of the May 18, 2017 deposition of Plaintiff Steven M. Harding.

16. Attached hereto as Exhibit 14 is a true and correct excerpted transcript of the May 24, 2017 deposition of Plaintiff Edward M. Safran.

17. Attached hereto as Exhibit 15 is a true and correct excerpted transcript of the July 26, 2017 deposition of Plaintiff Linda Young.

18. Attached hereto as Exhibit 16 is a true and correct excerpted transcript of the May 17, 2017 deposition of Plaintiff Francis Fenwick.

19. Attached hereto as Exhibit 17 is a true and correct excerpted transcript of the May 26, 2017 deposition of Plaintiff Mary Wardrett.

20. Attached hereto as Exhibit 18 is a true and correct copy of an internal Ranbaxy document, produced in discovery by Defendants as RANBAXY_FEN0006130.

21. Attached hereto as Exhibit 19 is a true and correct copy of the October 30, 2017 expert report of Dr. Gary French, submitted on behalf of Plaintiffs.

22. Attached hereto as Exhibit 20 is a true and correct excerpted transcript of the January 11, 2018 deposition of Defendants' expert, Dr. Bruce Strombom.

23. Attached hereto as Exhibit 21 is a true and correct copy of Defendants' Second Supplemental Objections and Responses to Plaintiffs' First Set of Interrogatories, served on January 6, 2017.

24. Attached hereto as Exhibit 22 is a true and correct excerpted transcript of the July 27, 2017 status conference before the Hon. Douglas E. Arpert.

25. Attached hereto as Exhibit 23 is a true and correct copy of Non-Party CVS Health's Responses and Objections to Plaintiffs' Subpoena to Testify at a Deposition in a Civil Action, served on July 24, 2017.

26. Attached hereto as Exhibit 24 is a true and correct copy of an internal Ranbaxy document, produced in discovery by Defendants as RANBAXY_FEN0005064.

Dated: May 4, 2018

/s/ Michael E. Patunas
Michael E. Patunas